

- | <u>Full Name</u> | <u>Sex</u> | <u>Age</u> | <u>Relationship to child</u> |
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|----|--|------|------|-------------|------------|-------------------------------|------|----------------|--|
| 2. | Person to be restrained (<i>full name</i>): | | | | | <i>Relationship to child:</i> | | | |
| | Sex: <input type="checkbox"/> M <input type="checkbox"/> F | Ht.: | Wt.: | Hair color: | Eye color: | Race: | Age: | Date of birth: | |

3. ☐ Temporary order not granted. The hearing is set as below.

4. ☐ Temporary order

- a. ☐ Person to be restrained received notice.
- b. ☐ Person to be restrained did not receive notice.
- c. ☐ **This temporary order will expire at midnight on the date of the hearing listed below**
- d. If, at the hearing, the judge makes a restraining order which has the same orders as in the temporary order, the restrained person will get a copy of that order by mail at his or her last known address (*write restrained person's address*):
- If this address is not correct or to determine whether the orders were made permanent, contact the clerk of this court.*

5. Service of this notice of hearing must be at least ☐ five or ☐ (specify): _____ days before the hearing.

A court hearing has been set at the time and place indicated below. You may attend this hearing, with or without an attorney, to provide any legal reason that the orders above should not be extended. If you do not appear at this hearing, the court may extend or modify the orders for up to three years without further notice to you.

Date: _____ Time: _____ Dept.: _____ Room: _____

6. ☐ **Order after hearing**

- a. This order after hearing expires on *(date and time)*:
- If no end date is written, the restraining order ends three years after the date of the hearing, as indicated below.
 - If no time is written, the restraining order ends at midnight on the end date.
- b. Date hearing held: _____ Time: _____ Dept.: _____ Room: _____

CASE NAME: 	CASE NUMBER:
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c. Judicial officer (*name*):

d. Persons and attorneys present (*names*):

e. ☐ Person to be restrained present. No further service needed.

f. ☐ Person to be restrained not present.

(1) ☐ The judge's orders in this form are the same as in the prior temporary restraining order except for the end date, and the temporary order and notice of hearing was personally served on the restrained person. The restrained person can be served by mail.

(2) ☐ The judge's orders are different from those in the prior temporary restraining order. An adult 18 years or older—not the person or persons to be protected—must personally serve a copy of this order on the restrained person.

THE COURT FINDS AND ORDERS

7. Restrained person (ward)

☐ The restrained person is a ward of the court or the subject of a petition under Welfare and Institutions Code section 601 or 602 and **must not** contact, threaten, stalk, or disturb the peace of the person or persons in item 1.

8. Restrained person

a. **must not do the following things to the person or persons in item 1.**

(1) ☐ molest, attack, strike, stalk, threaten, sexually assault, batter, harass, destroy the personal property of, contact, or disturb the peace

(2) ☐ contact, either directly or indirectly, by mail or otherwise

☐ except for visitation as indicated in c below.

b. ☐ **must stay away** at least (*specify*) _____ yards from:

(1) ☐ protected person or persons in item 1, except for visitation as indicated in c below

(2) ☐ home of person or persons in item 1

(3) ☐ job or workplace of person or persons in item 1

(4) ☐ vehicle of person or persons in item 1

(5) ☐ school of person or persons in item 1

(6) ☐ the children's school or child care

(7) other (*specify*):

c. ☐ **has the right to visit the minor children** named in item 1 as follows:

(1) ☐ None

(2) ☐ Visitation according to the attached schedule (*form JV-205 must be attached if any visitation is ordered*)

d. ☐ **must move** immediately from (*address*):

and take only personal clothing and belongings.

e. ☐ **must NOT take any action** to get the address or location of any person named in item 1 or the addresses or locations of the family members, caregivers, or guardians of any persons named in item 1. If this box is not checked, the court has found good cause not to make this order.

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9. **No guns or other firearms or ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within your immediate possession or control. This must be done within 24 hours of being served with this order.
 - File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use *Proof of Firearms Turned In or Sold*, (Form DV-800) for the receipt.)
- c. ☐ The court has received information that you own or possess a firearm.

10. ☐ A criminal protective order on form CR-160 is in effect:

Case number:

(expiration date):

County (if known):

11. ☐ The protected persons have the right to record communications made by the restrained person that violate the judge's orders.

12. **Other orders (specify):**

13. **Transmittal order.** The data in this order must be transmitted within one business day to law enforcement personnel.

This order must be entered into the California Restraining and Protective Orders System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS).

- a. ☐ The court will enter the order into CARPOS through CLETS directly.
- b. ☐ The court will transmit a copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into CARPOS through CLETS.
- c. ☐ The court orders its designee (name): _____ to transmit a copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into CARPOS through CLETS.

Date:

JUDICIAL OFFICER

Warnings to the Restrained Person

If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail or prison, pay a fine of up to \$1,000 or both. Taking or hiding a child in violation of this order is subject to state and federal criminal penalties.

You cannot have guns, firearms, and or ammunition. You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

CASE NAME: _____	CASE NUMBER: _____
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Instruction for Law Enforcement

Enforcing the Restraining Order. This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.

Conflicting orders. If a criminal restraining order (form CR-160) conflicts with a juvenile restraining order (form JV-250), a law enforcement agency must enforce the criminal order. Even if the criminal order is older, the officer must still enforce it over the juvenile order. (Pen. Code, § 136.2(h).) Any nonconflicting terms of the juvenile custody or visitation order remain in full force. An emergency protective order (form EPO-001) that is in effect between the same parties and that is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2.)

Certificate of Compliance With VAWA for Temporary Orders

This temporary protective order meets all full faith and credit requirements of the Violence Against Women Act (18 U.S.C. § 2265) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

Certificate of Compliance With VAWA for Orders After Hearing

This protective order meets all full faith and credit requirements of the Violence Against Women Act (18 U.S.C. § 2265). This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded reasonable notice and an opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

CLERK'S CERTIFICATE

[SEAL]

I certify that the foregoing *Restraining Order—Juvenile* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy